

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re the Application of the Fund for Protection  
of Investor Rights in Foreign States pursuant to  
28 U.S.C. § 1782 for an Order Granting Leave  
to Obtain Discovery for Use in a Foreign  
Proceeding

Case No. \_\_\_\_\_

**EX PARTE APPLICATION PURSUANT TO 28 U.S.C. § 1782 FOR AN ORDER  
GRANTING LEAVE TO OBTAIN DISCOVERY FOR USE IN A FOREIGN PROCEEDING**

The Fund for Protection of Investor Rights in Foreign States (*the Fund* or *the Applicant*), a corporate entity organized under the laws of the Russian Federation, respectfully applies for an order permitting it to obtain discovery pursuant to 28 U.S.C. § 1782 (*Section 1782*) from AlixPartners LLP (*AlixPartners*) which has its principal place of business in the Southern District of New York, and its CEO Mr. Simon Freakley, likewise to be found in the Southern District of New York, in connection with with Mr. Freakley's appointment as temporary receiver and investigation of Bankas Snoras AG (*Snoras*).

Applicant seeks this discovery in connection with a pending arbitration pursuant to the Lithuania-Russia Bilateral Investment Treaty of 2004 (*the Treaty*) and governed by the United Nations Commission on International Trade Law Arbitration Rules (*UNCITRAL Arbitration Rules*) in which, as detailed in the supporting Memorandum of Law, Applicant, as the assignee of Snoras's then-controlling shareholder, Mr. Vladimir Antonov (*Mr. Antonov*), will prove that Lithuania committed multiple breaches of the Treaty, including by expropriating Mr. Antonov's investment in Snoras through commissioning a pretextual investigation of the bank's finances,

the outcome of which was predetermined and which was conducted without affording Mr. Antonov due process.

In support of its Application, the Fund relies on: (i) the Memorandum of Law and (ii) supporting Declaration of Alexander Yanos (***Yanos Declaration***) filled concurrently with this Application, together with its supporting exhibits.

This Court should enter the Proposed Order attached hereto, authorizing the requested discovery to be conducted in accordance with the Federal Rules of Civil Procedure, and the issuance of the subpoenas attached in draft form as Exhibits 11-14 to the Yanos Declaration submitted herewith.

Dated: August 29, 2019  
New York, New York

Respectfully submitted,

/s/ Alexander Yanos

Alexander Yanos

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